

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

FILED

OCT 30 2023

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

TONY DANIEL KLEIN,

Defendant - Appellant.

No. 23-3022

D.C. No. 3:22-cr-00084-SI-1  
District of Oregon, Portland

ORDER

Before: Lisa B. Fitzgerald, Appellate Commissioner.

The motion (Docket Entry No. 3) of appellant's appointed counsel Matthew McHenry and Amanda Thibeault to withdraw as counsel of record and to appoint new counsel is granted.

The Clerk will electronically serve this order on the appointing authority for the District of Oregon, who will locate appointed counsel. The appointing authority is requested to send notification of the name, address, and telephone number of appointed counsel to the Clerk of this court at [counselappointments@ca9.uscourts.gov](mailto:counselappointments@ca9.uscourts.gov) within 14 days of locating counsel.

Appellant's new counsel must order the reporter's transcript through submission of a CJA Form 24 to the district court by November 27, 2023. The transcript is due December 27, 2023. The opening brief and excerpts of record are

due February 5, 2024; the answering brief is due March 6, 2024; and the optional reply brief is due within 21 days after service of the answering brief.

If appellant seeks transcripts of proceedings requiring special authorization, that authorization should be obtained from the district court. *See* 6 Guide to Judiciary Policy § 550.40.

The Clerk will serve this order on former counsel and appellant individually.